

AN ACT

relating to the regulation and inspection of boilers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 755.001(17), Health and Safety Code, is amended to read as follows:

(17) "Portable [~~power~~] boiler" means a boiler primarily intended for use at a temporary location.

SECTION 2. Section 755.022(a), Health and Safety Code, is amended to read as follows:

(a) This chapter does not apply to:

(1) boilers owned or operated by the federal government;

(2) pressure vessels or process steam generators, other than steam collection or liberation drums of process steam generators;

(3) manually fired miniature boilers that:

(A) are constructed or maintained for locomotives, boats, tractors, or stationary engines only as a hobby for exhibition, recreation, education, or historical purposes and not for commercial use;

(B) have an inside diameter of 12 inches or less or a grate area of two square feet or less; and

(C) are equipped with a safety valve of adequate size, a water level indicator, and a pressure gauge;

1 (4) boilers that are designed for operation only at
2 atmospheric pressure and that are equipped with two independent
3 means to prevent the buildup of pressure; ~~[or]~~

4 (5) steam cookers; or

5 (6) espresso machines.

6 SECTION 3. Section 755.025(e), Health and Safety Code, is
7 amended to read as follows:

8 (e) The commission by rule shall establish the subsequent
9 intervals and manner of inspection for a [A] portable [power]
10 boiler [must be inspected externally each time the boiler is moved
11 to a new location and must receive an internal inspection at least
12 annually].

13 SECTION 4. Chapter 755, Health and Safety Code, is amended
14 by adding Subchapter E to read as follows:

15 SUBCHAPTER E. REGULATION OF BOILERS AND FUEL GAS SYSTEMS

16 Sec. 755.071. RESTRICTION ON REGULATION. Notwithstanding
17 any other law, a state agency or political subdivision may not
18 restrict the use or installation of a specific fuel gas pipe product
19 that is approved for use and installation by the International Fuel
20 Gas Code.

21 Sec. 755.072. CONFLICT OF LAW. To the extent of a conflict
22 between this subchapter and another law, this subchapter controls.

23 SECTION 5. As soon as practicable after the effective date
24 of this Act, the Texas Commission of Licensing and Regulation shall
25 adopt the rules necessary to implement the changes in law made by
26 this Act.

27 SECTION 6. This Act takes effect immediately if it receives

H.B. No. 3257

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 3257 was passed by the House on April 20, 2017, by the following vote: Yeas 144, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3257 on May 22, 2017, by the following vote: Yeas 140, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3257 was passed by the Senate, with amendments, on May 18, 2017, by the following vote: Yeas 29, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor